

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TEXTRON INNOVATIONS INC.,

Plaintiff,

v.

SZ DJI TECHNOLOGY CO., LTD.,
DJI EUROPE B.V., SZ DJI BAIWANG
TECHNOLOGY CO. LTD., and IFLIGHT
TECHNOLOGY COMPANY LTD.,

Defendants.

Case No. 2:22-CV-00351-RWS-RSP

DECLARATION OF CATHERINE NYARADY

1. I am a partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul, Weiss”).

2. I have been retained by SZ DJI Technology Co., LTD., DJI Europe B.V., SZ DJI Baiwang Technology Co. LTD., and iFLIGHT Technology Company LTD. (collectively “DJI”) for the purpose of representing DJI in the above-captioned matter (“the Litigation”).

3. This declaration is submitted in support of DJI’s application for a protective order relating to the production of [REDACTED]

[REDACTED]

[REDACTED]

4. On May 23, 2023, counsel for the parties had a lengthy discussion regarding the production of source code by Zoom conference.

5. During this conference, counsel discussed certain specific issues relating to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. Moreover, we offered [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. TII's counsel flatly rejected DJI's offers. TII's counsel did so based on their expressed view that to review the code at this point in time may [REDACTED]

[REDACTED] They refused to meaningfully engage in any discussion directed towards [REDACTED]

[REDACTED]

10. Despite acknowledging [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] TII's counsel still demanded production of the code on June 5, 2023.

11. TII's counsel repeatedly suggested, improperly, that the source code issue had already been decided and resolved in the case before the Western District of Texas.

12. Attached as Exhibit A is a true and correct copy of the [REDACTED]

[REDACTED]

13. Attached as Exhibit B is a true and correct copy of a certified translation of the [REDACTED]

[REDACTED]

14. Attached as Exhibit C is a true and correct copy of the [REDACTED]

[REDACTED]

15. Attached as Exhibit D is a true and correct copy of a certified translation of the [REDACTED]

[REDACTED]

16. Attached as Exhibit E is a true and correct copy of DJI's P.R. 3-4(a) June 5, 2023 production correspondence.

17. DJI sought consent from TII for the relief requested in the present motion. TII refused.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2023.

/s/ Catherine Nyarady
CATHERINE NYARADY